

PATENT
Docket No. 263742000201

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EV 093219122 US

Date of Deposit: June 13, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.

Mary Chen

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In the application of:

Bruce J. ROSER et al.

Serial No.: 09/836,625

Filing Date: April 16, 2001

For: METHODS OF PREVENTING
AGGREGATION OF VARIOUS
SUBSTANCES UPON REHYDRATION
OR THAWING AND COMPOSITIONS
OBTAINED THEREBY

Examiner: M. Davis

Group Art Unit: 1642

JUN 26 2002

TECH CENTER 1600/2900

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to the Office Action dated April 22, 2002 (Paper No. 3), for which a response was due on May 22, 2002 and for which a 1 month extension of time is also requested to extend the time for response from May 22, 2002 to June 22, 2002.

RESPONSE

In the outstanding Office Action, the Examiner has imposed a Restriction Requirement between: Group I, claims 43-47; Group II, claims 48 and 50-52; and Group III, claims 49 and 50-52. The Examiner has also requested an election of species.

Applicant hereby elects Group II (claims 48, and 50-52), without traverse. Applicant expressly reserves his/her right under 35 U.S.C. § 121 to file a divisional application directed to the nonelected subject matter during the pendency of this application, or an application claiming priority from this application. Applicant also elects the species of aluminum hydroxide.

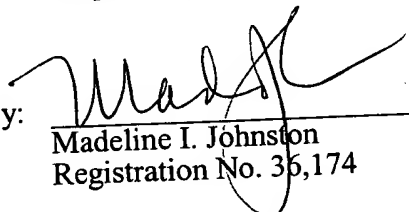
Applicant requests examination of the elected subject matter on the merits.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 263742000201. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: June 13, 2002

By:


Madeline I. Johnston
Registration No. 36,174

Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018
Telephone: (650) 813-5840
Facsimile: (650) 494-0792